

DUANE MORRIS LLP  
John Dellaportas, Esq.  
Evangelos Michailidis, Esq.  
1540 Broadway  
New York, NY 10036  
212-692-1000  
(2121) 692-1020  
dellajo@duanemorris.com  
emichailidis@duanemorris.com

BAILEY & GLASSER, LLP  
Scott C. Helmholtz, Esq.  
Jeffrey R. Baron, Esq.  
One North Old State Capitol Plaza, Suite 560  
Springfield IL 62701  
217) 528-1177  
(217) 528-1198  
shelmholtz@baileyglasser.com  
jbaron@baileyglasser.com

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
INTEROCEAN COAL SALES, LDC,

Plaintiff,

v.

EVONIK TRADING GmbH, an alien  
corporation, EVONIK DEGUSSA  
CORPORATION, an Alabama  
corporation, EVONIK  
INDUSTRIES, AG, an alien corporation,  
and EVONIK STEAG GmbH, an alien  
corporation,

Defendants.

CIVIL ACTION NO. 11-cv-0940

ECF Case

**MOTION TO ADMIT COUNSEL  
PRO HAC VICE**

FILED  
U.S. DISTRICT COURT  
2011 MAR 15 PM 3:16  
S.D. OF N.Y.

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Court for the Southern and Eastern Districts of New York, I, Evangelos Michailidis, a member in good standing of the bar of this Court, hereby move for an Order allowing admission pro hac vice of

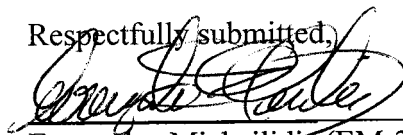
Scott C. Helmholz  
Bailey & Glasser, LLP  
One North Old State Capitol Plaza, Suite 560  
Springfield, IL 62701  
Tel. (217) 528-1177  
Fax (217) 528-1198  
SHelmholz@baileyglasser.com

Mr. Helmholz is a member in good standing of the Bar of the States of Illinois and Missouri. Please see his certificates of good standing attached as Exhibits A and B to my supporting affidavit.

There are no pending disciplinary proceedings against Mr. Helmholz in any State or Federal court.

Dated: March 14, 2011  
New York, New York

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Evangelos Michailidis', is written over a horizontal line.

Evangelos Michailidis (EM-3383)

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
INTEROCEAN COAL SALES, LDC,

Plaintiff,

v.

EVONIK TRADING GmbH, an alien  
corporation, EVONIK DEGUSSA  
CORPORATION, an Alabama  
corporation, EVONIK  
INDUSTRIES, AG, an alien corporation,  
and EVONIK STEAG GmbH, an alien  
corporation,

Defendants.

CIVIL ACTION NO. 11-cv-0940

ECF Case

**AFFIDAVIT OF EVANGELOS  
MICHAILIDIS IN SUPPORT OF  
MOTION TO ADMIT COUNSEL  
PRO HAC VICE**

STATE OF NEW YORK     )  
                                      )     ss.:  
COUNTY OF NEW YORK    )

EVANGELOS MICHAILIDIS, being duly sworn, hereby deposes and says as follows:

1. I am an associate at the law firm Duane Morris LLP, counsel for Plaintiff in the above captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Plaintiff's motion to admit Scott C. Helmholz as counsel pro hac vice to represent Plaintiff in this matter.

2. I am a member in good standing of the bar of the State of New York, where I was admitted to practice law on January 16, 2008. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.

3. I have known Mr. Helmholz since February, 2011.
4. Mr. Helmholz is a partner at Bailey & Glasser, LLP, in Springfield, Illinois.
5. I have found Mr. Helmholz to be a skilled attorney and a person of integrity. He is experienced in civil federal practice and is familiar with the Federal Rules of Procedure.
6. Accordingly, I am pleased to move for the admission of Mr. Helmholz, pro hac vice.
7. I respectfully submit a proposed order granting the admission of Mr. Helmholz, pro hac vice, which is attached hereto as Exhibit C.

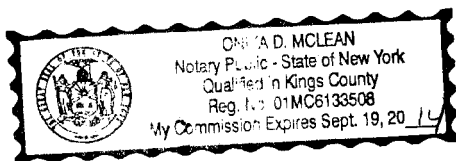
**WHEREFORE** it is respectfully requested that the motion to admit Mr. Helmholz, pro hac vice, to represent Plaintiff in the above captioned matter, be granted.

Respectfully submitted,

  
Evangelos Michailidis (EM-3383)

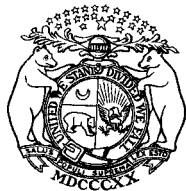
Sworn to before me  
this 14th day of March, 2011

  
Notary Public



## **EXHIBIT A**

*The Supreme Court of Missouri*



*Certificate of Admission as an  
Attorney at Law*

I, Thomas F. Simon, Clerk of the Supreme Court of Missouri, do hereby certify that the records of this office show that on 9/2/1978,

*Scott Charles Helmholz*

was duly admitted and licensed to practice as an Attorney and Counselor at Law in the Supreme Court of Missouri and all courts of record in this state, and is, on the date indicated below, a member in good standing of this Bar.

IN TESTIMONY WHEREOF, I hereunto set  
my hand and affix the seal of the Supreme Court of  
Missouri at my office in Jefferson City, Missouri,  
this 8<sup>th</sup> day of March, 2011.

A handwritten signature in black ink, appearing to read "Thomas F. Simon", is written over a horizontal line.

Clerk of the Supreme Court of Missouri

## **EXHIBIT B**

## **Certificate of Admission To the Bar of Illinois**

I, Carolyn Taft Grosboll, Clerk of the Supreme Court of Illinois, do hereby certify that

Scott Charles Helmholz

has been duly licensed and admitted to practice as an Attorney and Counselor of Law within this State; has duly taken the required oath to support the CONSTITUTION OF THE UNITED STATES and of the STATE OF ILLINOIS, and also the oath of office prescribed by law, that said name was entered upon the Roll of Attorneys and Counselors in my office on December 19, 1983 and is in good standing, so far as the records of this office disclose.

In Witness Whereof, I have hereunto  
placed my hand and affixed the seal  
of said Supreme Court, at Springfield,  
in said State, this Wednesday, February 09, 2011.

*Carolyn Taft Grosboll*

Clerk



## **EXHIBIT C**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
INTEROCEAN COAL SALES, LDC,

Plaintiff,

v.

EVONIK TRADING GmbH, an alien  
corporation, EVONIK DEGUSSA  
CORPORATION, an Alabama  
corporation, EVONIK  
INDUSTRIES, AG, an alien corporation,  
and EVONIK STEAG GmbH, an alien  
corporation,

Defendants.

CIVIL ACTION NO. 11-cv-0940

ECF Case

**AFFIDAVIT OF SERVICE**

STATE OF NEW YORK     )  
                                  )ss.:  
COUNTY OF NEW YORK    )

**ELAINE HARRISON**, being duly sworn, deposes and says:

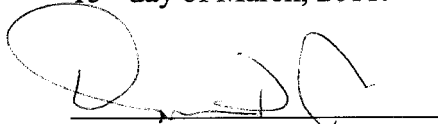
1. I am employed by the firm of Duane Morris LLP, attorneys for Plaintiff.
2. At the time of service I am not a party to the action, and am over 18 years of age who also resides in Queens, New York.
3. On March 15, 2011, I served a copy of the **Motion to Admit Counsel Pro Hac Vice for Scott Charles Helmholz and Motion to Admit Counsel Pro Hac Vice for Jeffrey Russell Baron** by Express Mail to:

Mark Vasco  
Alston + Bird LLP  
101 South Tryon Street  
Charlotte, North Carolina 28280  
Attorneys for Defendants  
Evonik Trading GmbH and  
Evonik Steag GmbH

Patrick J. Hughes  
Connell Foley LLP  
85 Livingston Avenue  
Roseland, NJ 07068  
Attorneys for Defendant Evonik  
Degussa Corporation and  
Evonik Industries, AG

  
ELAINE HARRISON

Sworn to before me this  
15<sup>th</sup> day of March, 2011.

  
Notary Public



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
INTEROCEAN COAL SALES, LDC,

Plaintiff,

v.

EVONIK TRADING GmbH, an alien  
corporation, EVONIK DEGUSSA  
CORPORATION, an Alabama  
corporation, EVONIK  
INDUSTRIES, AG, an alien corporation,  
and EVONIK STEAG GmbH, an alien  
corporation,

Defendants.

CIVIL ACTION NO. 11-cv-0940

ECF Case

**ORDER FOR ADMISSION  
PRO HAC VICE ON  
WRITTEN MOTION**

Upon the motion of Evangelos Michailidis at Duane Morris LLP, attorneys for Plaintiff Interocean Coal Sales, LDC, and said sponsor attorney's affidavit in support:

**IT IS HEREBY ORDERED** that

Scott C. Helmholz  
Bailey & Glassler, LLP  
One North Old State Capitol Plaza, Suite 560  
Springfield, IL 62701  
Tel. (217) 528-1177  
Fax (217) 528-1198  
SHelmholz@baileyglasser.com

is admitted to practice pro hac vice as counsel for Plaintiff in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at [nysd.uscourts.gov](http://nysd.uscourts.gov). Counsel shall forward the pro hac vice fee to the Clerk of the Court.

Dated: March \_\_, 2011  
New York, New York

---

United States District/Magistrate Judge